

Application No.: 10/733,866
Filing Date: December 11, 2003

REMARKS

This Amendment is responsive to the Office Action mailed on November 15, 2010 ("Office Action"). No new matter is being added. Please reconsider the application in view of the foregoing amendments and the following remarks.

Status of the Claims

Prior to entry of the foregoing amendments, Claims 1, 6-15, 17, 22-32, and 35-45 were pending in this application. Claims 1, 6-8, 10-15, 17, 22-24, 26-28, 30-32, and 35-43 are hereby amended. Claims 46-48 are added. Claims 44-45 have been canceled.

Claim Rejection under 35 U.S.C. § 103(a)

Claims 1, 6 -15, 17, 22-32, and 35-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,272,110 ("Tunncliffe") in view of U.S. Pat. No. 6,209,033 ("Datta"), further in view of U.S. Pat. No. 7,403,994 ("Vogl"). Claim 42 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tunncliffe, Datta, and Vogl in further view of U.S. Pat. Pub. No. 2004/0202160 ("Westphal").

As discussed above in the Summary of Interview, Applicants discussed the distinctions between proposed amended Claim 1 and the cited art with the Examiner and the Examiner agreed that the proposed amendments, with some further additional amendments, would overcome the 103(a) rejection over the cited art. The claim amendments made in this paper include further amendments to Claim 1 in light of discussed amendments during the Interview, amendments to the other independent claims reflective of the amendments to Claim 1, and further minor revisions.

Accordingly, Applicants respectfully request that the rejection be withdrawn.

Conclusion

The Examiner has issued several rejections and objections in the Office Action. Applicants respectfully traverse the rejections and objections and disagree with the rejections and objections and with the characterization of the claims. Applicants also respectfully disagree with any explicit or implicit Official Notice taken to support the rejections and objections. To the

Application No.: 10/733,866
Filing Date: December 11, 2003

extent that the Interview Summary provided by the Examiner on February 9, 2011 may discuss particular claim terms, Applicants point out that it is the claims as submitted that describe the claimed invention and additional limitations should not be read into the claims.

Furthermore, any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Any remarks referring to only a portion of a claim should not be understood to base patentability on that portion or that the limitation discussed is essential or critical; rather, patentability must rest on each claim taken as a whole.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 11, 2011

By: 

Don C. Pua
Registration No. 67,028
Attorney of Record
Customer No. 20995
(949) 760-0404